

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA)	Civil No.08-689-AA
)	
Plaintiff,)	
)	ORDER FOR SERVICE
v.)	BY PUBLICATION
)	
THE ESTATE OF LLOYD E. GRAY, deceased;)	
et al.,)	
)	
Defendants.)	

Upon Motion and Declaration of Plaintiff for an order directing the unknown heirs, devisees, successors in interest and claimants to The Estate of Lloyd E. Gray and Defendant Beneficial Oregon, Inc. appear or plead in the above-entitled cause by a day certain to be fixed by the Court, it appearing to the Court that this civil action was brought to foreclose a real estate deed of trust on real property situated in Klamath County, State of Oregon, described as follows:

Lots 1 and 2, Block 59, Malin, in the County of Klamath, State of Oregon

that the unknown heirs, devisees, successors in interest and claimants to The Estate of Lloyd E. Gray cannot be found within the State of Oregon and have not voluntarily appeared in this action; that personal service upon them is not practicable because they are unknown; that Defendant Beneficial Oregon, Inc. was served by summons through its Registered Agent and there has been no correspondence with Plaintiff; and that this action is one in which an absent Defendant may lawfully be ordered to appear or plead within the meaning and purview of 28 U.S.C. § 1655.

IT IS HEREBY ORDERED:

1. That the unknown heirs, devisees, successors in interest and claimants to The Estate of Lloyd E. Gray and Defendant Beneficial Oregon, Inc. must appear or plead to the complaint of Plaintiff filed herein, on or before May 4, 2009, with service upon Plaintiff's attorney at the following address: Timothy W. Simmons, Assistant United States Attorney, 405 E. 8th Ave., Suite 2400, Eugene, Oregon 97401-2708. A failure to answer shall constitute a default and the Court will proceed to the hearing and adjudication of this suit as if said Defendants have been served with process within the State of Oregon.

2. That this order be published in Klamath Falls Herald & News, a newspaper published at Klamath Falls, Oregon, in Klamath County, Oregon, once a week for six consecutive weeks, the first publication to be not later than March 10, 2009; and

3. That certified copies of this Order and of Plaintiff's Complaint be served on the persons in possession or charge of said property, if any there be.

DATED this _____ day of _____, 2009.

ANN AIKEN
UNITED STATES DISTRICT JUDGE

PRESENTED BY:
KARIN J. IMMERGUT
United States Attorney

/s/ Timothy W. Simmons
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